

003204

FRANK P. CLEVELAND, M. D.
HAMILTON COUNTY CORONERELLIOT M. GROSS, M. D.
CHIEF DEPUTY CORONER/DIRECTOR OF FORENSIC PATHOLOGYCAROLYN MARATEA
ADMINISTRATORWILLIAM L. DEAN, M. S.
CHIEF OF FORENSIC SCIENCESHAROLD E. SCHUELER, Ph. D.
CHIEF OF TOXICOLOGYTO: Police Specialist Hoffmann
CPD, Homicide SquadEXAMINATION REQUESTED BY:
SameINSTITUTE OF FORENSIC MEDICINE
TOXICOLOGY AND CRIMINALISTICS
3159 EDEN AVENUE • CINCINNATI, OHIO 45219

TELEPHONE AREA 513

OFFICE 221-4524
LABORATORY 221-4528
MORGUE 221-4529
FAX: 513-221-0307OFFICIAL CRIME LABORATORY REPORT

C.L. FILE # 318-94-F-M

DATE January 21, 1994

SUBJECT Olinger, Melvin

TYPE OF EXAMINATION REQUESTED:

Crime Gun Examination/Unfired Ammunition

Hair Examination

The following is a report of the Crime Laboratory giving the results of examinations conducted on specimens received from your office. This examination has been made with the understanding that the specimen is connected with an official investigation of a criminal matter and the laboratory report will be used for official purposes only, related to the investigation or a subsequent criminal prosecution. Authorization cannot be granted for the use of this report in connection with a civil proceeding.

SPECIMENS:

Q-1 --- revolver, 6 shot, .357 Magnum chambered Sturm, Ruger & Co., Security Six model, serial number 152-80943 from a CPD gun envelope numbered 5774

Q-2 --- two small lead fragments recovered from Melvin Olinger at autopsy H-28-94

Q-3 --- two unfired Remington brand .357 Magnum cartridges having scalloped jacketed hollow point bullets from a white leather pouch submitted in a CPD property envelope numbered 5690

Q-4 --- cut, black parka with a label "Outdoor Exchange L-42-44" removed from Melvin Olinger at autopsy

Q-5 --- a pair of black slacks labeled "Palm Beach"

Q-6 --- three tape lifts used to collect hairs from the trunk of a blue FORD "TAURUS" with Ohio license: NMN - 685

Q-7 --- four tape lifts used to collect hairs from the passenger compartment of a blue FORD "TAURUS" with Ohio license: NMN - 685

K-1 --- a known head hair sample from Melvin Olinger

FINDINGS: (The findings below are based upon standard firearms identification and examination procedures.)

- a) No malfunctions were encountered in the examination and test firing of the Q-1 revolver.
- b) Prior to test firing, the Q-1 revolver was examined for blood, hairs or fibers with negative results. One chamber, fired more recently than the rest, was noted and marked on the cylinder of Q-1.

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- c) The Q-2 lead fragments have a total weight of 0.6 grains and are devoid of usable rifling impressions.
- d) One of the two cartridges of Q-3 was disassembled and found to contain 15.6 grains of flattened ball propellant and a flat base 158 gr., scalloped, jacketed hollow point bullet.
- e) No holes, soot or propellant were seen in the right side of the Q-4 coat. An attached, black nylon hood was still within its zippered collar compartment.
- f) Bullets test fired from the Q-1 revolver did not correspond to any in this laboratory's unsolved shooting file.
- g) Laboratory ammunition of the same brand and type as Q-3 was test fired in the revolver at 4, 6, 12, 18, 24, 30 and 36 inches from a twill or carbon paper faced target for comparison to the density of the stippling pattern depicted in color photographs (transparencies) of the right side of M. Olinger head.

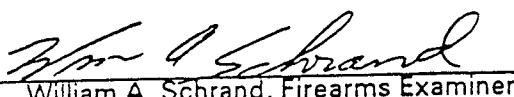
OPINION:

The Q-1 revolver is a functional firearm.

The Q-2 lead fragments cannot be further categorized.

No gunshot residue pattern was detected on the Q-4 parka.

The stippling density depicted in photographs of the right side of Mr. Olinger's head is consistent with a distance greater than 6 inches but less than 30 inches for a shot from the Q-1 revolver with ammunition of the same type as the Q-3 cartridges.



William A. Schrand, Firearms Examiner

WAS:scb

RESULTS:

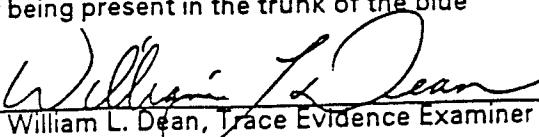
A search for foreign hairs on the victim's clothing, Q-4 and Q-5, was negative.

A microscopic examination of the tape lifts, Q-6, revealed several caucasian head hairs. These hairs corresponded in color, configuration, and microscopic characteristics to hairs from Melvin Olinger, K-1.

A microscopic examination of the tape lifts, Q-7, revealed numerous, short, head hair fragments. These fragments displayed negroid characteristics, but were too short for further examination.

OPINION:

The above results are consistent with head hairs of Melvin Olinger being present in the trunk of the blue FORD "TAURUS".



William L. Dean, Trace Evidence Examiner

WLD:scb
March 16, 1994

003206

861(d)(1)(b) Prior inconsistent statement & relevant
of fabrication, improper influence or motives.

p2- Wm. Hugh Hamilton - subscriber - clear ca.

p3- Had been drinking heavily & smokin M

I wasn't really in my right state of mind

p4- He dropped his wallet - I had been pointed at him - he started walking towards me - I wasn't in my right state of mind I smokin weed - I was high - I panic - I got scared I accidentally pulled the trigger - I didn't mean it it definitely was an accident
I'm blocked out - went into shock

I was hoping I didn't shoot - missed or something

Larry Aughen - He said fuck him

✓ I was trying to get car to express people - I wasn't never trying to kill any body
That was my intentions & I am sorry I did it.

p15- I told him I was gonna let him go - That was my intentions

p17 - dropped wallet - he stepped forward - panicked
being a conductor I was in - accidentally pulled trigger
large amount of drinks & marijuana - it truly was an accident

J. Williamson
Carol Balkai

Lee spent night at CK's

Next morning - N. Carter - I. C. Penny - jewelry
His girl friend - Tonga

T-164

CK p19 Didn't buy anything
p20 Didn't get himself anything p20

Crossed out Dave F 1/21/94 6:35 AM (Pg 15)

L.M.'s - statement

p3 Drunk, heavy smoking Mary.
I wasn't really in my right state of mind
p4 - Drunk, smoking weedN. Carter 4/45 Dave Feldkau - "I DIDN'T PLAN TO KILL ANYBODY
↳ 3 40s Glass WEED

p4 - I didn't mean it - It definitely was an accident

p7 - Lost his wallet

p15 It was my intention to let him go.

p17 - accident - accidentally pulled the trigger drunk & Mary

p18 I didn't mean to do that - I was really drunk

Bob Dennett - nothing in Limm's or prior

Mike Tierney - problem in the head - from Jason Holmes

MARK EXHIBIT

No SAD's

12445

22 6:35

Cold sun shelt walked thru
No shirt present when brought in

Interven JH v 3

LK first 148

Changed w/ Agg M

what time and/or

Feldman - trial / Jason Holmes
VII - p 322 - who developed plan - both
JH + LM

Dan Feldman

talk to before began to print - available papers to
feel at ease. Want them to tell the truth

p 322 - VII - both developed plan to go to Fairfield

JAH - trial - did not receive death penalty
deserved

LK awaiting sentence - cannot receive death penalty

LEE MOONE, Jr

19 YOA

242-1482

0445

1-21-94

DAVE FED H&G
STATE'S EXHIBITM TO JPD
9 9400481"I DIDN'T PLAN TO KILL ANYBODY"

SHATUNDA NEAL 17

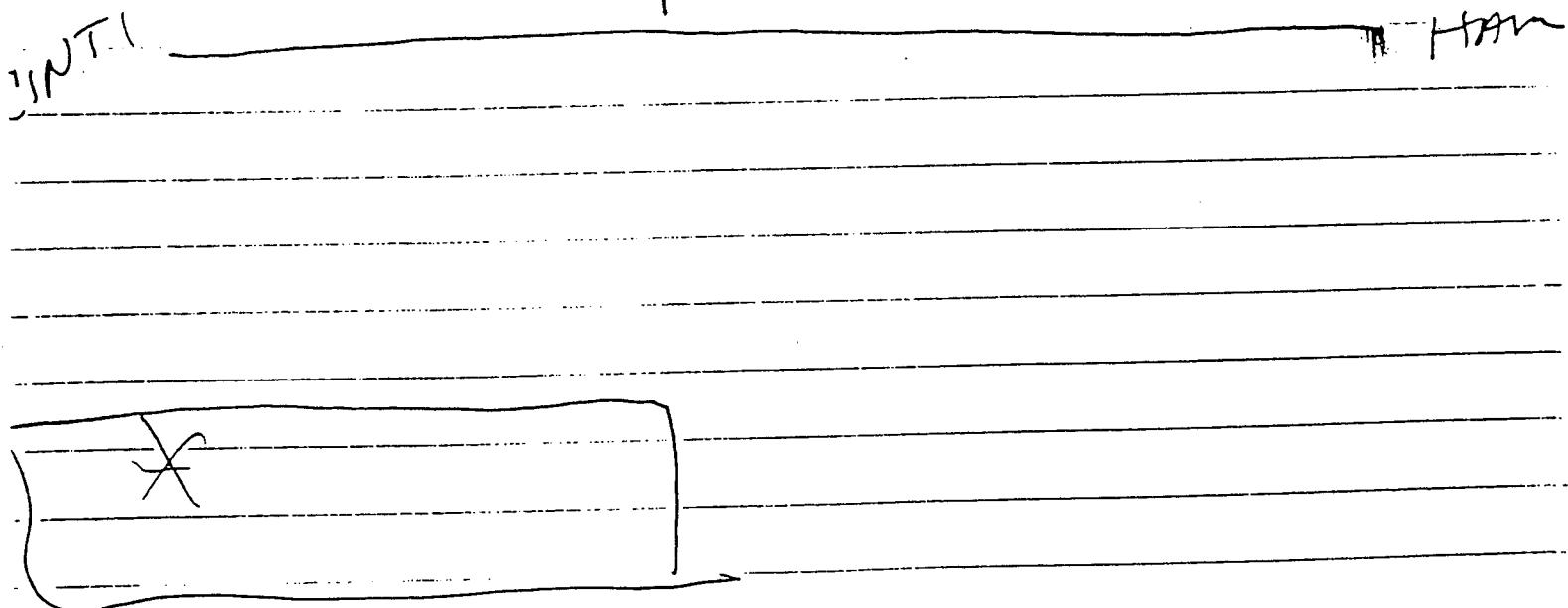
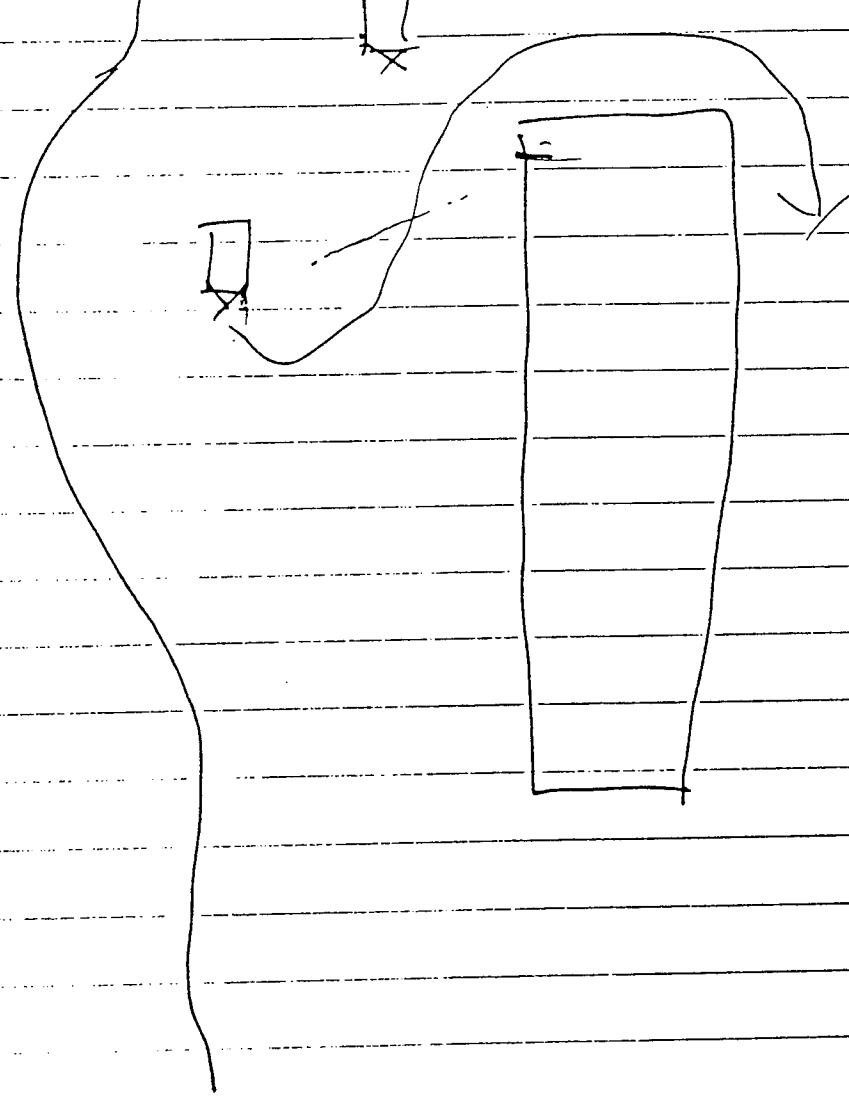
PICKED FAIRFAX. PICKED CAN ~~BE~~ HE LIKED WITH
MICH. PLATES. STOPPED TO USE BATHROOM

~~DOOR~~ LEE ASKED LARRY OUT TO SEE CAN

3-40'S, GIN, DUST WORD

GET OUT OF WORK ON OWN, ASKED HIM WHERE HE
WAS AT

FINDING ONCE. RAN TO CAN. LARRY SAID, NOY MAX,
YOU SHOT HIM. LIKE HE LIKED IT



003211

DET. TIGLANT
0445

LEE Edward Moore 1/3/19
 1101 Glen Brook # 10/19/74
 242-1482 [REDACTED]

SHATUNDA NEAL F.B.I.
 10889 SPRUCE HILL #

TOOK HIS BOSSIN LET HIM USED IT
 0445 GIVEN GLASS OF WATER (REQUESTED)

L.M. STATED HIS CAR WAS CROWN HAD
 PROBLEMS 1980 FORD (TRANSMISSION)

- HAD TO STEAL IT CAR
 WANTED TO GO OUT OF THE COUNTY
 TO STEAL THOUSAND 1/8 CROWN KEEP IT

SEVERAL MORE DAYS

- L.M. DROVE UP TO HAMILTON WITH
 JASON HOLMES IN L.M. AUTO

- SAW VICTIM GETTING OUT OF HIS BLUE
 THOUSAND NOTICED IT HAD MICHIGAN PLATES ON
 IT DECIDED TO H.T. HAD

L.M. STATED THEY WERE IN PARKING LOT ORIGINALLY
 BECAUSE THEY STOPPED TO USE BATHROOM.

- SAT AND WAITED FOR VICTIM TO COME OUT
 LEE WALKED UP TO VICTIM POINTED GUN AT
 HIM MADE HIM GET INTO AUTO

LEE THEN DROVE THOUSAND AROUND BALDWIN
 AND PUT VICTIM INTO TRUNK OF CAR
 SO HE DIDN'T SEE WHERE THEY WERE DRIVING
 003212

- LEE THINKS VICTIM WAS STANDING ON SDS OF DUMPSTER

LEE BENT DOWN TO PICK UP WIGGET AND VICTIM SPUNED COMING TOWARD HIM LEE SAID HE PANICKED AND FIRED GUN ONE TIME

- WHEN LEE FIRED SHOT HIS SHOT WAS BLURRED OUT AND REPORTED TO RUN TOWARD CITY DID NOT KNOW IF VICTIM WAS SHOT - HOW DO HE DON'T

- GOT INTO VICTIM'S CAR AND DROVE AWAY - LARRY WANTS SHOOTING YOU DID IT MAN YOU SHOT THAT MAN LIKE HE WAS RECKLESS LARRY SHOT AND FUCK HIM

- DROVE MARY FROM AREA BACK TO LARRY'S HOUSE - THINKS LARRY TOLD JASON WITH HOPPER

- LEE SAID HIS WENT AND LAYED DOWN ON COUCH LARRY HAD PROJECTORS PUT THEM IN JASON'S ROOM

- THE NEXT DAY WENT OUT WITH LARRY TO NORTHGATE (J.C. PENNEY) WENT TO JEWELRY DEPT PURCHASED NECKLACE I BELIEVE FOR HIS GIRLFRIEND SHATUDA WENT AND PURCHASED A SWEATSHIRT - T SHIRT SWEATshirt WITH VICTIM'S NAME ON IT

THEN DROVE TO THE COUNTY J.C. PENNEY PURCHASED 1 NOUGET RING & HELLO KITTY NECKLACE WITH VICTIM'S NAME

003213

DRIVE TO COMMUNION'S PRISON HOUSE AND
 LEE WENT UP TO HOUSE TOLD LARRY
 HE HAD SOMEONE IN CAR AND HE WANTS
 CARS TO DROP HIM OFF AND LEAVE
 LARRY TOLD LEE HE WANTED TO GO
 WITH HIM.

- LEE SAID HE WAS DRUNK & HIGH
 3-400Z SOME GUY IN BOAT WEED DIME BAG
- LEE AND LARRY DROVE NEAR - PRISON
 STAYED BEHIND.
- LEE STATED HE WAS JUST DRIVING AND
 TURNED UP IN CUMMINGSVILLE - WAS DRIVING
 A STREET & LARRY TOLD HIM TO TURN AND
 LEAVE HIM THERE.
- DROVE BEHIND A BUILDING THOUGHT THERE
 WERE RR TRACKS NEARBY - BACK CAME UP
 BY BUILDING LEE & LARRY BOTH GOT OUT
 OF CAR AND LEE OPEN TRUNK GAVE
 CAR KEYS TO LARRY AND TOLD HIM TO GET OUT
 CAR
- VICTIM GOT OUT OF TRUNK ON HIS OWN
 HE WAS ASKING WHERE HE WAS AT - LEE TOLD
 HIM HE WASN'T GOING TO TELL HIM BECAUSE
 HE DIDN'T WANT HIM TO KNOW
- LEE TOLD VICTIM TO GIVE UP HIS WALLET
 VICTIM WAS WALKING TOWARD DUMPSTER HE STOPPED
 TO GIVE LEE WALLET AND IT FELL ON GROUND

003214

- Came back home to Lenny's house - Eventually went over to Shatunda's house and CARS
HAD Jewelry he bought
- Lenny & Jason had credit cards
They went back out to J.C. Penny's
Unknown with one
- Lee was driving victim's car for a couple
days gave it to Cameron told him
it was hot - stated he gave it to
Cameron because he didn't want it
therefore he wanted to just end it.

0715 Given Census of wanted (Refused)

ton County, }ss. **Court of Common Pleas**
SUBPOENA FOR WITNESS

To P.O. David Feldhaus
C.I.S.
824 Broadway
Cinti., OH 45202

VICES TECUM: Any and all notes, summaries and reports concerning interview of and statement given by Lee Moore in regard to Homicide of 1-14-94.

You are required to attend on the 14th day of November A. D. 1994
at 10:00 o'clock A. M., in the Court House in Cincinnati, in said County,
before the Hon. Judge Boehlman Judge of said Court, in Room
No. 534 to testify as witness on behalf of Lee Moore
in the case of State of Ohio
versus Lee Moore
and not depart the Court without leave. Fail not under penalty of the law.

WITNESS my hand and the seal of the said Court at Cincinnati,

Pastor J. James
0000067
721-1995

this day of A. D. 19.....

JAMES C. CISSELL

Clerk of the Court of Common Pleas of Hamilton County, Ohio

Attorney

PRESS FIRMLY

Report to Clerk's Office, Room 315 for witness fee payment after appearance.

003217

Daniel J. James
#0008067
721-1995

Attorneys for

Lee Moore

on County, }

Court of Common Pleas
SUBPOENA FOR WITNESS

Detective James Williamson
c/o Assistant Hamilton County Prosecutor,
Mark Piepmeyer
914 Main St. - 2nd Floor
Cincinnati, OH 45202

DUICES TECUM: Any and all notes, summaries and reports concerning interview of
and statement given by Larry Kinley in regard to Homicide of
1-14-94.

You are required to attend on the 14th day of November A. D. 1994
at 10:00 o'clock A. M., in the Court House in Cincinnati, in said County,
before the Hon. Judge Ruehlman Judge of said Court, in Room
No. 534 to testify as witness on behalf of Lee Moore
in the case of State of Ohio
versus Lee Moore
Failure to appear at the Court without leave of Court, will be held in contempt of the law.

WITNESS my hand and the seal of the said Court at Cincinnati,
this day of A. D. 19.....

Daniel J. James
40006967
721-1995

JAMES C. CISSELL

Clerk of the Court of Common Pleas of Hamilton County, Ohio

View of the Society

Attorney

PRESS FIRMLY

Report to Clerk's Office, Room 315 for witness fee payment after appearance.

Daniel J. James
#0008067
731-1325

Attorneys for

Lee Moore

003218

NAME

RESIDENCE:

Daniel J. James
#0008067
721-1995

Attorneys for

Lee Moore

003219

ME & Jason from to Boulter w/
intention to steal a car - we both
knew that was my intention to steal a car -

I seen a car - saw Oliver get out
of car & go into Bar - I was going to
get his car when he came out

I got him in the car - I drove
back to Jason's house & told him that he
was in the car - Tony said he wanted to
go with me -

We was in luminous hill - I had been
drinking & smoking pot

Used hand - got him out of the Truck
& I told him to walk by himself so
he could go behind it & we could leave
I asked for his wallet on the way back.
He dropped his wallet & I had the gun
pointed at him & I walked down to pull
it up & he started walking towards me
& I pointed & I accidentally pulled the
trigger - after the shot I blocked out or
went into shield - didn't see him fall
Get back in car & rob car.

When I get in car Tony telling him
"You get him - you shot him in 003220

I was trying to get a car to injure people.

003221

HOMICIDE OF MELVIN OLINGER

STATEMENT OF LEE MOORE

Code to persons speaking in statement:

Q: Specialist Dave Feldhaus
Homicide Unit, C.I.S.
Cincinnati Police Division

QQ: Detective Mike Tiernan
Fairfield Police Department

A: Lee Moore

(NOTE: Inaudible portions of statement are indicated by dashes.)

Q: Okay today's date is uh January 21st, 1994, the time now is um 0635 hours. My name is Specialist Dave Feldhaus with the Cincinnati Police Homicide Unit. With me is Detective Tiernan, T-I-E-R-N-A-N. He's with the uh Fairfield Police Department. We're interviewing uh a Lee Moore. Lee Edward Moore. He's a male black, 19 with a date of birth of uh 10/19 of 74. Mr. Moore gives an address of 1101 Clearbrook Avenue. Is that correct Lee? Is it Avenue or Street?

A: Drive.

Q: --- Drive. Okay. Has a phone number of 242-1482. Uh Mr. Moore is being interviewed in reference to the death of Melvin Olinger which occurred on uh January 14, um 1994 in uh Cumminsville. I know it was 3366 Llewellyn Place. Um before we get started Lee I'm showin' ya a piece of paper here in which you have your signature. It's your Miranda Rights. These rights were read to you

is that correct?

A: Yes.

Q: You gotta speak up okay so the tape can hear ya. Is that correct?

A: Yes.

Q: Okay an' you indicated that you understood it an' you signed your signature here at the bottom is that correct?

A: Yes.

Q: An' that's your signature?

A: Yes.

Q: Okay. Lee what we wanna do like I said we're we're investigatin' the death of um Mr. Olinger. He's uh a male white, 53. Uh an' again I said he was found over in Cumminsville. Um what I want you to do is just start at the beginning of what you know about his death an' how it came about an' what happen that night. Just take it slow an' um...

A: Okay.

Q: an' be truthful.

A: Me an' Jason we drove up to um...

Q: Now Jason is I I need you to name the whole names that you know.

A: Me an' Jason Holmes rode up drove up to um Hamilton with intentions to steel steel a car. He knew an' I knew those were uh were my intentions, to steal the car an' he was part of it. I got the car, I seen... (silence)

Q: Where you at up in Hamilton you say?

003223